

1 ANDREW L. MARGULIS (*Pro Hac Vice*)
2 ROPERS, MAJESKI, KOHN & BENTLEY
3 17 State Street, Suite 2400
4 New York, New York 10004
5 Telephone: (212) 668-5927
6 Facsimile: (212) 668-5929

7 ENRIQUE MARINEZ (SBN 160956)
8 ROPERS, MAJESKI, KOHN & BENTLEY
9 1001 Marshall Street
10 Redwood City, California 94063
11 Telephone (650) 364-8200
12 Facsimile: (650) 780-1701

13 Attorneys for Defendant
14 GULF INSURANCE COMPANY

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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

13 C. PRESTON BUTCHER, an individual;
14 LEGACY PARTNERS 2323 L.P., a California
15 limited partnership; LEGACY PARTNERS 387
16 L.P., a California limited partnership; and
17 LEGACY PARTNERS, INC., a California
18 corporation; ARCHER LIMITED
19 PARTNERSHIP, a California limited
20 partnership; LEGACY PARTNERS 2297 L.P., a
21 California limited partnership; LEGACY
22 PARTNERS MANAGEMENT L.P., a California
23 limited partnership; and LEGACY PARTNERS
24 RESIDENTIAL, INC., a Delaware corporation,

Plaintiffs/Counter Defendants,

v.

21 GULF INSURANCE COMPANY, a
22 Connecticut corporation, and GULF
23 UNDERWRITERS INSURANCE COMPANY,
24 a Connecticut corporation,

Defendants/Counter Plaintiffs.

No. C 03-03553 PJH

**STIPULATION OF DISMISSAL WITH
PREJUDICE AND ORDER**

26 **IT IS HEREBY STIPULATED AND AGREED** by the undersigned counsel
27 for the parties hereto, that pursuant to Fed.R.Civ.P. 41(a) and (c), this action, including all claims
28 and counterclaims by all parties, is hereby dismissed with prejudice and without costs to either

1 party. This stipulation may be filed without further notice to either party.

2 Dated: August 3, 2005

3 BOROWSKY & HAYES LLP

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5 By: /s/ Philip Borowsky
Philip Borowsky
Attorneys for Plaintiffs/Counter Defendants
One Market Plaza
Steuart Tower, Suite 1275
San Francisco, California 94105-1431
6 (415) 896-6800

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9 ROPERS, MAJESKI, KOHN & BENTLEY

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11 By: /s/ Andrew L. Margulis
Andrew L. Margulis, *Pro Hac Vice*
Attorneys for Defendants/Counterclaim Plaintiffs
17 State Street, Suite 2400
New York, New York 10004
12 (212) 668-5927

